

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

AMNESTY INTERNATIONAL USA, CENTER  
FOR CONSTITUTIONAL RIGHTS, INC. and  
WASHINGTON SQUARE LEGAL SERVICES,  
INC.,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY,  
DEPARTMENT OF DEFENSE, DEPARTMENT  
OF HOMELAND SECURITY, DEPARTMENT  
OF JUSTICE, DEPARTMENT OF STATE, AND  
THEIR COMPONENTS

Defendants.

**ECF CASE**

07 CV 5435 (LAP)

**AFFIDAVIT OF KYLE M. DEYOUNG IN SUPPORT OF WILMERHALE'S MOTION  
FOR LEAVE TO WITHDRAW AS COUNSEL TO PLAINTIFFS AMNESTY  
INTERNATIONAL USA AND WASHINGTON SQUARE LEGAL SERVICES, INC.**

I, Kyle M. DeYoung, being duly sworn, hereby depose and state the following based on my personal knowledge:

1. I am a counsel at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale"). I am one of the attorneys who has principal responsibility for handling the above-captioned lawsuit on behalf of WilmerHale.
2. On June 7, 2007, Amnesty International USA ("Amnesty International") and Washington Square Legal Services, Inc., ("WSLS") (collectively, "Plaintiffs") brought suit before this Court pursuant to the Freedom of Information Act in order to obtain the processing and release of records from Defendants Central Intelligence Agency, Department of Homeland

Security, Department of Defense, Department of State, and Department of Justice. Plaintiffs have been represented in this action by WilmerHale and WSLS.

3. The parties have filed motions and cross-motions for summary judgment with respect to the Department of Homeland Security. This Court heard oral argument on those motions on May 22, 2008.

4. On May 23, 2008, WilmerHale discovered a conflict between Plaintiffs and other WilmerHale clients as a result of which WilmerHale's exercise of independent judgment on behalf of Plaintiffs will be or is likely to be adversely affected and which is likely to involve WilmerHale representing different interests. See Disciplinary Rule 5-105(B). WilmerHale's continued representation of Plaintiffs in this action is likely to prejudice Plaintiffs as well as WilmerHale's other clients.

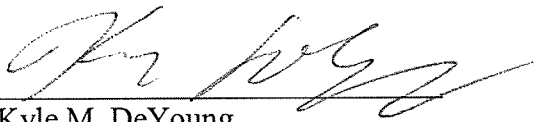
5. Pursuant to a Stipulation entered on April 21, 2008, the parties are currently briefing their motions and cross-motions for summary judgment with respect to the Central Intelligence Agency ("CIA"). Plaintiffs' cross motion for partial summary judgment and opposition to the CIA's motion for summary judgment was scheduled to be due on May 28, 2008. Plaintiffs and co-plaintiff Center for Constitutional Rights ("CCR") have reached an agreement with counsel for the CIA regarding a revised briefing schedule and have requested an extension of this deadline until June 25, 2008.

6. Briefing of motions for summary judgment with respect to the Department of Defense, Department of State, and Department of Justice has not yet been scheduled.

7. Amnesty International and WSLS are in the process of identifying replacement co-counsel as expeditiously as possible.

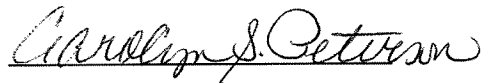
8. Amnesty International and WSLs consent to WilmerHale's motion for leave to withdraw.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 4th day of June, 2008.

  
\_\_\_\_\_  
Kyle M. DeYoung

**Sworn to before me this**

**4th day of June 2008**

  
\_\_\_\_\_  
Carolyn S. Peterson

**Notary Public**

CAROLYN S. PETERSON  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires February 14, 2011